



COTTONWOOD HEIGHTS

PLANNING COMMISSION STAFF REPORT

OCTOBER 17, 2007



COTTONWOOD HEIGHTS PLANNING COMMISSION AGENDA

Notice is hereby given that the Cottonwood Heights Planning Commission will hold a regularly scheduled meeting at **7:00 p.m. on Wednesday, October 17, 2007** in the Cottonwood Heights City Council Room, 1265 East Fort Union Blvd., Suite 250, Cottonwood Heights, Utah

5:45 p.m. Work Session

7:00 p.m. Regular Meeting

1. Public Comment

This agenda item is for public comments on items not on the regular agenda and for informational purposes only. No formal action will be taken during this portion of the meeting.

2. Public Hearing – Flag Lot – Antczak Park View Estates – Jack Horsley

The Planning Commission will receive public comment and take action on a request by Jack Horsley for a subdivision on 0.51 acres of property for the creation of a flag lot on property located at 1820 East 7200 South.

3. Public Hearing – Conditional Use – David Swan

The Planning Commission will receive public comment and take action on a request by David Swan for a conditional use permit. The applicant is proposing to convert an existing home to a professional office on property located at 2044 East Fort Union Blvd.

4. Continued Action Item – Conditional Use - Wasatch Office

This is a continued item from the October 03, 2007 Planning Commission meeting. The Planning Commission will continue discussion and take action on a request by Utah Property Development for a conditional use permit for property located at 7755 S. Wasatch Blvd. The applicant is proposing to build three professional office buildings totaling 42,000 square feet.

5. Approval of Minutes

September 19, 2007
October 03, 2007

6. Planning Director's Report

7. Adjournment

On Friday, October 12, 2007 at 2:00 p.m. a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Cottonwood Heights City Offices, Cottonwood Heights, Utah. A copy of this notice was faxed to the Salt Lake Tribune and Deseret News, newspapers of general circulation in the City by the Office of the City Recorder. A copy was also faxed or e-mailed to the Salt Lake County Council, Holladay City, Midvale City, Murray City, and Sandy City pursuant to Section 10-9-103.5 of the Utah Code. The agenda was also posted on the city website at www.cottonwoodheights.utah.gov

Sherry McConkey, Planning Coordinator



Item 1 – Public Comment

Issue: _____

Comments:

Issue: _____

Comments:

Issue: _____

Comments:



Item 2: Antczak Park View Estates Minor Subdivision – Flag Lot

File Name:	Antczak Park View Estates Flag Lot Minor Subdivision
Application Received:	August 31, 2007
Meeting Date:	October 17, 2007
Public Hearing Date:	October 17, 2007
County parcel Number:	2228252018
Location:	1820 East 7200 South
Development Area:	0.5 Acres
Request:	Flag Lot Minor Subdivision
Owner/Applicant:	Ayman Haddadin
Agent:	Jack Horsley
Staff:	Glenn Symes, Associate Planner

Purpose of Staff Report

The ordinances adopted by the city of Cottonwood Heights (the "City") require City staff to prepare a written report of findings concerning any flag lot request application. This report provides preliminary information regarding the subdivision of the above noted parcel of land. Further information will be provided at the Planning Commission meeting through public testimony and oral reports. For reference, the review process applicable to this application is available in the Zoning: R-1-8 (19.26), Subdivision Flag Lot Ordinance (12.20.060), and the Cottonwood Heights General Plan.

Pertinent Issues Regarding this Development Application

Applicant's Request

The applicant is requesting a flag lot minor subdivision for property located at 1820 East 7200 South. The lot is approximately one half acre and is located between Ridgecrest Elementary School and Antczak Park. The existing lot accommodates more than one home but was not properly subdivided prior to the incorporation of Cottonwood Heights. The applicant would like to formally apply for a minor subdivision for the demolition of existing and construction of new homes on the property.

Neighborhood/Public Position on the Request

At the time of the staff report, only one comment had been received as a result of the noticing procedure. The comment was with regard to the permitted uses on the property. Other comments had been received by staff in the past with regard to the same question. When staff stated that only single family detached homes would be permitted on the lots, the

residents seemed to be satisfied. A report will be given at the time of the meeting to further update the commission of any other concerns that may have been received. The public hearing was noticed as City code requires. A written notice was mailed to all property owners within 500 feet of the applicant's property at least 10 days prior to the public hearing.

Staff Observations and Position on the Request

Staff has made the following observations:

Application

The applicant has submitted a complete application and paid the applicable fees. Staff, in return, has shown reasonable diligence in processing the application.

Site Layout

The property is located at 1820 East 7200 South and is situated between Antczak Park and Ridgecrest Elementary. The property is on approximately one half acre or 22,450 square feet. The frontage on 7200 South is approximately 124 feet with no access from any other side of the property. The property was purported to have three residences on it prior to the demolition of the previously existing structures. The property has no slope issues associated with it or any other environmental hazard that may be detrimental to the general health safety and welfare of the public.



Flag Lot Subdivision Review Standard

The standard for review and approval of a proposed flag lot are such that the planning commission upon its finding that, due to topographic conditions, sensitive land concerns, or other requirements of this title, streets cannot or should not be extended to access substantial buildable areas that would otherwise comply with the minimum lot standards of the underlying zone (12.20.060).

Staff believes that the proposed flag lot meets the findings laid out in section 12.20.060.A of the Cottonwood Heights Municipal Code. The subject lot is larger than the minimum required for a standard minor subdivision in the underlying zone. However, a standard subdivision cannot be facilitated in this case due to the lack of access to the rear portion of the lot. Attempts have been made in the past to acquire access but no access was ever granted. Staff believes that due to this a road cannot be extended to access the substantial buildable area on the property.

Flag Lot Requirements

Section 12.20.060: Flag lots permitted, of the Cottonwood Heights Municipal Code outlines other requirements for the successful subdivision of a flag lot.

- Subsection A requires that a flag lot may only be created from a legal lot and only one flag lot may be subdivided from such a lot. The subject property is a legal lot and only one flag lot is proposed on the property.
- Subsection B requires that only single family residential dwellings are permitted on a flag lot. As this property is located in an R-1-8 zone, only single family residential dwellings would be permitted.
- Subsection C requires that the flag lot meet all requirements of the underlying zone in addition to the modified requirements specifically for flag lots. The proposed flag lot meets all such requirements.
- Subsection D requires the front lot to meet all required setbacks and lot minimums. The applicant has provided setbacks and minimum lot size for the proposed subdivision and all meet the requirements for the underlying zone.
- Subsection E requires that any structure built on a flag lot be limited to 26' in height as measured in Section 19.76.170 of the Cottonwood Heights Municipal Code. This will be enforced at the building permit stage and included as a note on the recorded plat.
- Subsection F outlines the required setbacks for the flag lot. The proper setbacks are included on the proposed flag lot. Subsequent subdivision platting will state the proper setbacks as well.
- Subsection G states the requirement of 125% of the underlying zone's minimum lot size for a flag lot. The proposed flag lot is approximately 10,465 square feet and is just over 125% of the 8,000 square foot minimum lot size requirement for the R-1-8 zone.
- Subsection H requires that the stem or driveway portion of the flag lot be either in fee title ownership of the rear lot or through express, irrevocable easement for ingress and egress across the front lot. The proposed flag lot subdivision places the stem of the flag lot as an easement over and across the front lot.
- The proposed flag lot will be compliant with subsection I since only one flag lot is being proposed.
- The proposed flag lot will also be compliant with subsection J. The proposed flag lot stem includes the 12' driveway and the 5' buffer strip and is the maximum 100' permitted.
- Subsection K will be dealt with at the building permit stage.

Recommendation

Based upon the staff observations and the consistency with the requirements of a flag lot, staff is recommending approval of a request for a flag lot located at 1820 East 7200 South.

Standards of Review for the Application

Based on statute (either state and/or municipal) the following standards apply when reviewing conditional uses in the city of Cottonwood Heights:

Zoning – R-1-8: Chapter 19.26

Subdivisions – Flag Lots Permitted: Chapter 12.20.060

Cottonwood Heights General Plan Land Use Map

Staff Contact:

Glenn Symes Associate Planner

Telephone: 545-4190

Fax: 545-4150

Cell: 502-5004

E-mail gsymes@cottonwoodheights.utah.gov

List of Attachments: Map of the Property

Proposed Subdivision Layout

Notice Sent to Property Owners within 500'

Brookhill Drive

7200 South

1820 East 7200 South

Antczak Park

Ridgecrest Elementary

STREET MONUMENT
1200 SOUTH
1100 EAST
(FOUND)

S 89°59'30" E 1231.62'

1200 SOUTH STREET

S 89°59'30" E 1242.4'

STREET
1200
1100
(NO)

S 89°59'30" E 1488.0'

POINT OF BEGINNING

ROAD DEDICATION
404 sq. ft.
0.01 acres

30.0' WATER & SANITARY
SEWER EASEMENT

17.0' ACCESS &
LANDSCAPE EASEMENT

BASIS OF BEARING: N 00°06'33" E 1301.25'

NORTH 217.44'

S 00°05'50" W 217.42'

LOT 1
GROSS = 12410 sq. ft.
0.28 acres
NET = 10711 sq. ft.
0.25 acres

LOT 2
10465 sq. ft.
0.24 acres

WEST 123.89'

JORDAN SCHOOL DISTRICT

JORDAN SCHOOL DISTRICT

SALT LAKE COUNTY-ANTICZAK PARK

CENTER
SECTION 10



NOTICE OF PUBLIC HEARING
FOR A PROPOSED FLAG LOT MINOR SUBDIVISION AT
1820 EAST 7200 SOUTH

Notice is hereby given that Cottonwood Heights will hold a public hearing before the Planning Commission to receive comment on a request by Jack Horsley for a subdivision on 0.51 acres of property for the creation of a flag lot on property located at 1820 East 7200 South, Cottonwood Heights, Utah.

The hearing will be held at Cottonwood Heights City Offices, 1265 East Fort Union Blvd., Suite 250, on Wednesday, October 17, 2007, at 7:00 p.m. or as soon thereafter as the matter can be heard. Inquiries should be directed to Glenn Symes at 545-4154.

Attest: Linda Dunlavy
 City Recorder



Item 3: Conditional Use Permit for Assist-2-Sell – 2044 East Ft. Union Blvd.

File Name:	Assist-2-Sell Conditional Use Permit
Application Received:	August 31, 2007
Meeting Date:	October 17, 2007
Public Hearing Date:	October 17, 2007
County parcel Number:	2227101011
Location:	2044 East Fort Union Boulevard
Development Area:	0.2 Acres
Request:	Conditional Use Permit
Owner/Applicant:	David Swan
Agent:	David Swan
Staff:	Glenn Symes, Associate Planner

Purpose of Staff Report

The conditional use ordinance adopted by the city of Cottonwood Heights (the "City") requires City staff to prepare a written report of findings concerning any conditional use application. This report provides preliminary information regarding the development of the above noted parcel of land. Further information will be provided at the Planning Commission meeting through public testimony and oral reports. For reference, the review process applicable to this application is available in the RO Zone (chapter 19.35), the conditional use ordinance (chapter 19.84) and the Cottonwood Heights General Plan.

Pertinent Issues Regarding this Development Application

Applicant's Request

The applicant is requesting a conditional use permit for the operation of a small professional office building from an existing home located at 2044 East Fort Union Boulevard. The proposed use is a real estate office occupying approximately 2,000 square feet of the existing home. The applicant is not proposing any changes to the structure. Some changes need to be made to the site plan to accommodate the additional parking required for a professional office use. The applicant has worked with staff to propose parking on-site.

Neighborhood/Public Position on the Request

At the time of the staff report, staff had not received any comment on the application for the conditional use request. A report will be given at the time of the meeting to update the commission of any concerns that may have been received. The public hearing was noticed as City code requires. A written notice was mailed to all property owners within 500 feet of the applicant's property at least 10 days prior to the public hearing.

Staff Observations and Position on the Request

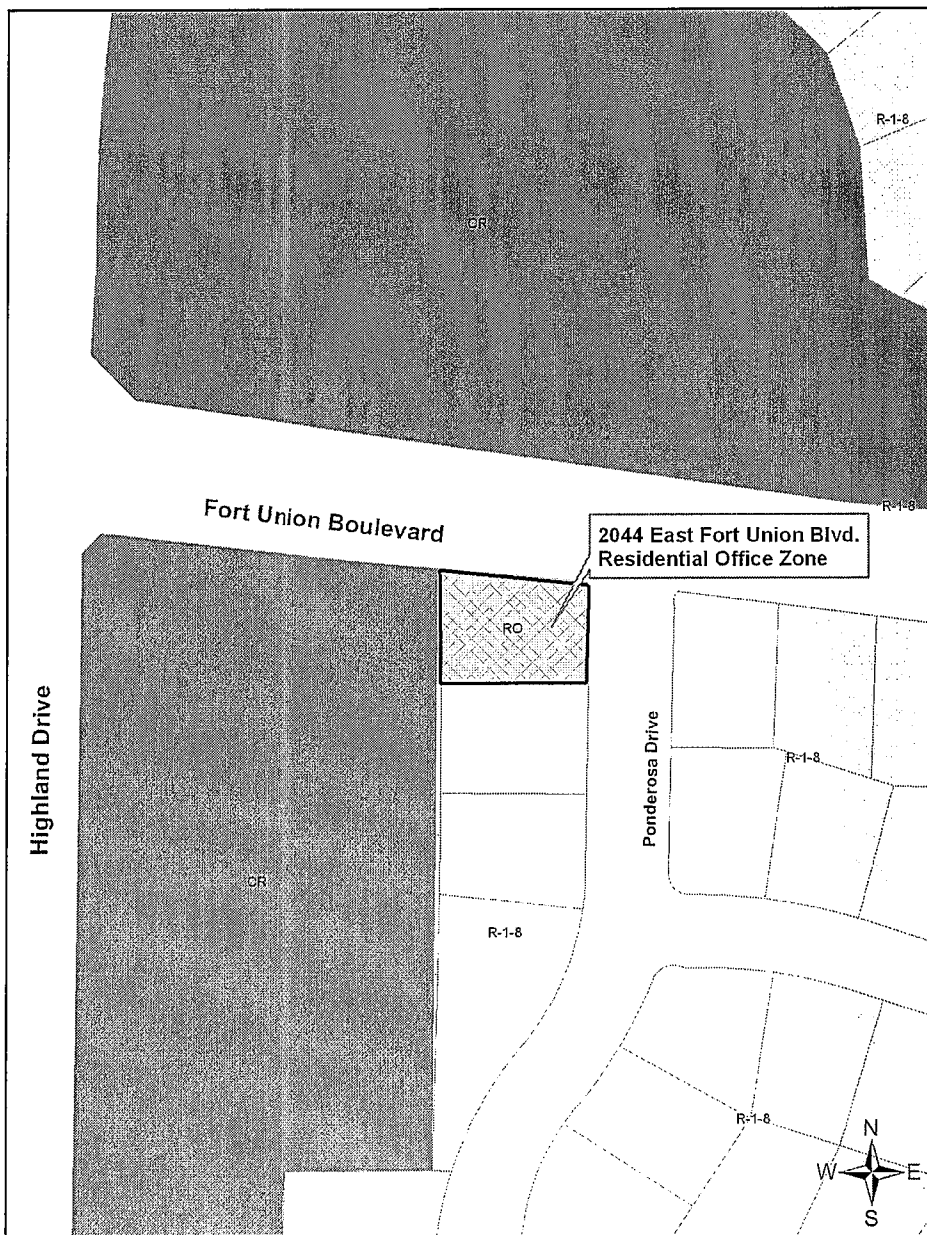
Staff has made the following observations:

Application

The applicant has submitted a complete application and paid the applicable fees. Staff, in return, has shown reasonable diligence in processing the application.

Site Layout

The property is located at 2044 East Fort Union Boulevard is approximately 0.2 acres or 8,086 square feet. The property is occupied by an existing home from which the applicant is proposing to operate the business. The property was built as a residence and does not currently have the required number of off-street parking stalls required for the operation of a business. The property is adjacent to an office building located to the west and residential neighborhoods to the south and east. The current structure is primarily accessed by and has frontage on Fort Union Boulevard.



Proposed Layout

The proposed layout includes the existing structure, the addition of three parking stalls and a turn-around area. The applicant is not requesting a change to the structure but will need to create the required number of parking stalls on-site. For 2,000 square feet of gross floor area used with this type of use, the required number of parking stalls is approximately 2.5 per thousand square feet. This would require a total of 5 parking stalls with one of the stalls meeting the ADA standards. The location of two of the stalls is proposed to be east of the existing home parallel to Ponderosa Drive. Two other parking stalls may be counted in the existing garage and the fifth stall, the handicap accessible stall, is proposed to be to the west of the existing driveway. A turn-around area is also proposed to allow forward entrance onto Fort Union Boulevard from the three stalls accessed by the existing driveway. An 8' buffer is required between any parking area and the closest residential area and will be accommodated by an 8' landscaped buffer strip to the south of the parking area on the east side of the building.

Zoning

The Residential Office zone is intended to be a transition zone between traditionally commercial areas and residential areas. The zone requires many of the same massing and scaling limitations that exist in residential zones while allowing lighter commercial and office uses to provide the transition without intrusion. The property is bordered to the west by regional commercial uses and zones while bordered to the east and south by residential zones. This property is an RO zone and would provide the transition between the two uses.

Parking Standards

The parking standards set out in the off-street parking ordinance require several important elements. One is that access to parking areas must not be such that a driver must back across a public sidewalk. Staff believes the parking dimensions and layout will provide the opportunity for drivers accessing the proposed office to turn around in the parking area and not back out across any of the public sidewalks. The parking on the north side of the building has a proposed turn around area to prevent backing over the sidewalk along Fort Union Boulevard. The dimensions and position of the parking area to the east of the building are such that a driver should be able to back out of the stall and move forward over the sidewalk along Ponderosa Drive. Staff has required a width of 24' between the end of the 18' parking stall and the south curb of the parking area. This is the width of a two-way aisle as per standards listed in the off-street parking ordinance.

Setbacks

The property meets all of the required setbacks as no changes will be made to the existing structure.

Screening / Fencing

There are fencing and screening requirements listed in the RO zoning ordinance. The requirements for the RO zone include screening of all trash or refuse receptacles, all ground-mounted equipment, roof appurtenances, utility connections and any loading areas. Staff believes that the existing perimeter fence around the side and rear of the property provide the necessary screening required for the RO zone. The RO zoning ordinance requires a landscaped buffer strip of not less than 8' between any commercial development and any residential use. The rear yard setback provides the minimum buffer between the existing home and the residential zone to the south. The proposed parking area to the east of the property is also set back eight feet to accommodate this requirement.

Signs

Any monument or wall sign would need to be permitted separately with an approved building permit.

Landscaping / Open Space

The RO zoning ordinance requires that at least 10% of the property be dedicated to landscaping. There is a large portion of the lot that will not be affected by the change of use and the existing landscaping and lawn space provides the necessary landscaping.

Gateway Overlay Zone and ARC

The property is located within the City's Gateway Overlay Zone and was required to be presented to the Architectural Review Commission. The RO zoning ordinance sets out the review standards for the ARC when reviewing a conversion or revitalization of an existing building. The ordinance states that the proposed use shall not alter the established residential characteristics of the existing building. Since there are no structural changes proposed and only minimal changes with regard to parking, the ARC recommended approval to the planning commission.

Recommendation

Based upon the staff observations, staff is recommending approval of a request for a conditional use permit for the conversion of an existing home to a professional office on property located at 2044 East Fort Union Boulevard.

Proposed Conditions for the applicant's request for conditional use:

Planning:

1. That the use of the property be limited to administrative, general or professional office
2. That the applicant maintains a minimum of five (5) parking stalls on-site with at least one that meets the standards to ADA compatibility
3. That the applicant maintains proper screening as represented in the plans
4. That the applicant maintains landscaping as represented in the plans
5. That the conditional use permit be reviewed upon complaint.

Fire Department:

1. All building and fire code requirements must be followed.
2. That the developer complies with all other necessary requirements of the City's fire official.

Standards of Review for the Application

Based on statute (either state and/or municipal) the following standards apply when reviewing conditional uses in the city of Cottonwood Heights:

RO (Residential Office) Zone: Chapter 19.40

Off-street Parking: Chapter 19.80

Conditional Uses: Chapter 19.84

Staff Contact:

Glenn Symes Associate Planner

Telephone: 545-4190

Fax: 545-4150

Cell: 502-5004

E-mail gsymes@cottonwoodheights.utah.gov

List of Attachments:

1. Map of Property
2. Site Plan
3. Landscape Plan for 8' Landscape Buffer South of East Parking Area
4. Notice Sent to Residents 500' Radius

Highland Drive

Fort Union Boulevard

Ponderosa Drive

2044 East Fort Union Blvd.
Residential Office Zone

CR

R-1-8

R-1-8

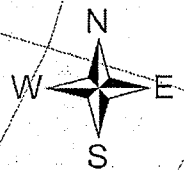
RO

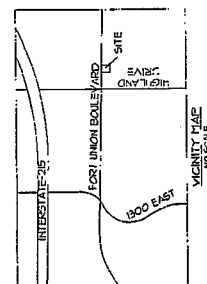
CR

R-1-8

R-1-8

R-1-8

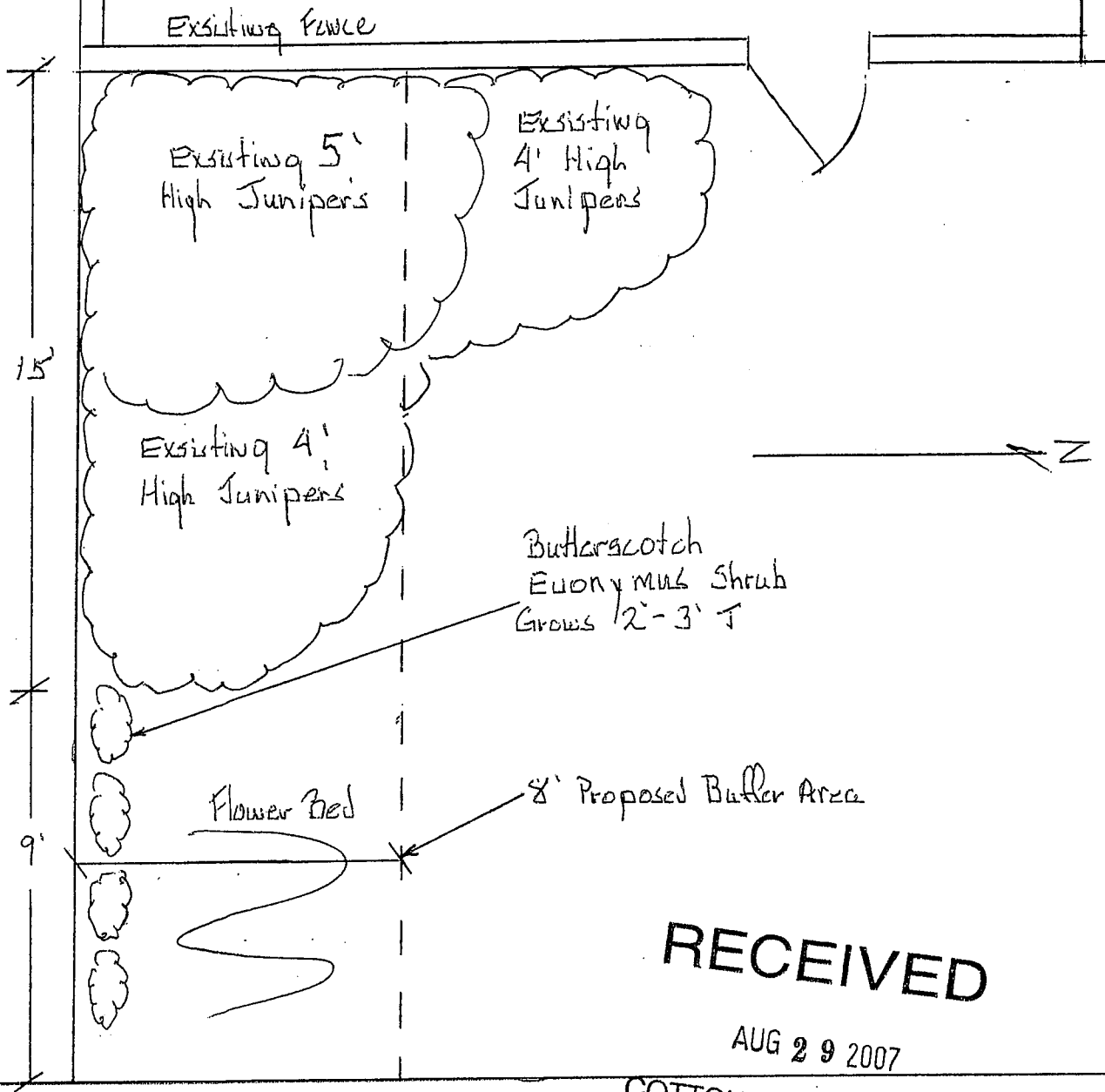




GRAPHIC SCALE

(IN FEET)
1 inch = 10 ft

Eight Foot Buffer Area Landscape



RECEIVED

AUG 29 2007

COTTONWOOD HEIGHTS
PLANNING DEPARTMENT

FIRST SUBMITTAL

Project Assist-2-Sell
2044 E. Ft Union Blvd.
Cottonwood Heights UT

$\frac{1}{4}'' = 1'$ scale



NOTICE OF PUBLIC HEARING
FOR A CONDITIONAL USE PERMIT
FOR THE CONVERSION OF AN EXISTING HOME TO A PROFESSIONAL OFFICE
AT 2044 EAST FORT UNION BLVD.

Notice is hereby given that the Cottonwood Heights Planning Commission will hold a public hearing to receive comment on a request from David Swan, for a conditional use permit. The applicant is proposing to convert an existing home to a professional office on property located at 2044 East Fort Union Blvd., Cottonwood Heights, UT.

The hearing will be held at Cottonwood Heights City Office, 1265 East Fort Union Blvd., on October 17, 2007, at 7:00 p.m. or as soon thereafter as the matter can be heard. Inquiries should be directed to Glenn Symes at 545-4154.

Attest: Linda Dunlavy
 City Recorder